



Commissioner's Response to
Recommendations from the
Task Force on Test Integrity

Recommendation 1

TEA should develop, implement, and evaluate transparent statistical procedures for identifying potential instances of test security violations. Such procedures should include indicators that are monitored annually, as well as trend indicators that assess patterns of inappropriate testing practices over time. As part of this process, TEA should consider developing a standardized format for submitting test data for processing.

Commissioner Response: ACCEPT

TEA recognizes the value of the information obtained from an investigative audit similar to the one conducted by Caveon, but would prefer to use statistical procedures for future analyses that could be replicated by both the Texas Education Agency and by school districts.

Additionally, these statistical procedures will serve as only one component of a more comprehensive system used for test integrity analysis. Additional data may include: (1) reports by school districts of testing irregularities across multiple years; (2) school district compliance with requirements related to the return of secure test materials; (3) erasure analyses; (4) student assessment data validation indicators examining excessive rates of students coded as either absent or "other" (which indicates that the student was not tested for reasons such as illness during the test or a test administration irregularity); (5) student assessment data validation indicators that evaluate potential coding anomalies of particular student groups, including students with Limited English Proficiency (LEP) and indicators that evaluate excessively high or low participation rates of students in specific assessments; and (5) Performance Based Monitoring (PBM) and state accountability ratings history; (6) school districts identified through special accreditation investigations as experiencing significant issues with the accuracy and reliability of information submitted to TEA.; and (7) other indicators that may be determined to be appropriate.

See Recommendation 8 for the response to the recommendation above to consider developing a standardized format for submitting test data for processing.

Timeline:

TEA staff are working on an implementation plan for test integrity analyses. A draft plan will be presented to the Commissioner in the summer of 2007. This plan will be reviewed in conjunction with provisions contained in Senate Bill 1031 recently passed by

the 80th Legislature, Regular Session, addressing test integrity analyses to be conducted by TEA. Under Senate Bill 1031, the commissioner is authorized to conduct random audits and special accreditation investigations in response to test security violations beginning with the 2007-08 school year. Beginning with the 2008-09 school year, the commissioner may begin using transparent statistical procedures for identifying potential instances of test security violations.

Recommendation 2

TEA should assemble a panel of educators and public representatives to review and make recommendations regarding the specific test-related practices that will be routinely monitored and the statistical procedures that will be used in test integrity analysis.

Commissioner Response: ACCEPT

While continuing to explore the composition and specific purpose of future panels, TEA will make use of three advisory groups to assist with this effort. The Texas Technical Advisory Committee (TTAC) consists of national assessment experts who counsel TEA in assessment and psychometric issues. In addition, the Student Assessment Division annually brings together a District Advisory Committee (DAC) consisting of district test coordinators and representatives of Education Service Centers from across the state to advise TEA on technical issues. Finally, the Commissioner is in the process of establishing a Student Assessment Advisory Committee (SAAC). Public representatives will be added to the SAAC in the future to ensure their representation in the review of proposed test integrity analyses. Future TTAC, DAC, and SAAC meetings will be used as venues to discuss ways to meet the intent of this recommendation.

Timeline:

Both the TTAC and the DAC are scheduled to meet in summer 2007. The SAAC met in late March 2007 with a second meeting scheduled for fall 2007. Senate Bill 1031 recently passed by the 80th Legislature, Regular Session, authorizes the commissioner of education to establish one or more advisory committees to advise the commissioner and TEA regarding the monitoring of assessment practices and the use of transparent statistical procedures for identifying potential instances of test security violations.

Recommendation 3

TEA should develop criteria for triggering on-site investigations of school districts, a standardized protocol used for on-site investigations, and criteria for referring investigations to the Office of the Inspector General.

Commissioner Response: ACCEPT

It is essential that standardized procedures are followed in any investigative activities conducted by TEA. The Student Assessment Division currently has procedures for processing testing irregularities reported to them, along with a standardized protocol for conducting on-site investigations and making referrals to Educator Certification and

Standards. Student Assessment will collaborate with the TEA Legal Counsel, the Office of the Inspector General (OIG), and the legal counsel of the State Board for Educator Certification (SBEC) to adapt these procedures to specify when and how an investigation becomes the responsibility of the OIG and/or SBEC. The current proposal under consideration provides for a committee of Student Assessment, OIG, SBEC and Legal staff to consider the most serious irregularities for on-site investigation. OIG will perform all on-site investigations unless the commissioner directs otherwise, including any investigations of individuals leading to a proposal by certification staff to sanction the credentials of educators.

Timeline:

TEA Legal Counsel will draft investigation and referral protocols in May 2007, with the intention of finalizing these procedures in June 2007 for use in processing testing irregularities reported during the spring 2007 administrations. Student Assessment, OIG, Legal and SBEC staff will draft protocols for the selection of schools for on-site visits and the conduct of on-site investigations that will be available in June 2007. Senate Bill 1031 recently passed by the 80th Legislature, Regular Session, authorizes special accreditation investigations in response to potential instances of test security violations.

Recommendation 4

TEA should develop standards and procedures to ensure rapid follow-up and resolution of suspected test security violations.

Commissioner Response: ACCEPT

It is essential that suspected test security violations are investigated and resolved as quickly as possible so districts and campuses can respond effectively and take corrective action as appropriate. Procedures developed in response to Recommendation 3 will include timelines that will ensure rapid follow-up and resolution of suspected test security violations.

Timeline:

Development of the standards and procedures will follow the same timeline as Recommendation 3.

Recommendation 5

TEA should enhance, to the extent allowable by law, avenues for confidential reporting of test security incidents directly to the agency.

Commissioner Response: ACCEPT WITH MODIFICATIONS

TEA requires statutory changes to ensure that information received confidentially will be covered by the "Informer's Privilege." Further, all possible consideration must be given to being able to authenticate claims of testing improprieties reported to the Agency confidentially to ensure that such reports are not made frivolously or for other than the intended purpose of bringing testing irregularities to light.

Timeline:

The Student Assessment Division already has procedures in place for authenticating claims of testing improprieties that involve contacting district staff to obtain independent verification or requesting additional contact information so TEA staff can follow up on the claims themselves. Further, Student Assessment staff will work collaboratively with OIG staff to authenticate claims to the extent possible.

Recommendation 6

TEA should develop and implement a system of random audits of school districts. A number of randomly selected districts should be audited each year.

Commissioner Response: ACCEPT

This recommendation will be implemented as a component of the system developed in response to Recommendations 1 and 2. It will be the responsibility of the OIG to conduct on-site random audits.

Timeline:

The protocol for conducting random audits will be drafted by the OIG and available by the end of June 2007. Provisions contained in Senate Bill 1031 recently passed by the 80th Legislature, Regular Session, authorize the audit of a random sample of school districts to insure security of state assessment instruments.

Recommendation 7

TEA should develop a model policy on test integrity and test security procedures for dissemination and adoption by local districts. Local districts should develop policies and procedures for self-analysis, monitoring of test security, regular review of test integrity and test security procedures, and follow-up on suspected test security violations. These policies should be submitted to TEA as part of compliance with test integrity regulations.

Commissioner Response: ACCEPT WITH MODIFICATIONS

Through its test administration materials, the Student Assessment Division already communicates detailed information on test integrity and test security policies and procedures to local school districts. Assessment staff will explore the feasibility of developing a model policy on test integrity and test security procedures for dissemination to and potential adoption by local districts. However, it is recommended that any written local policies be maintained at the campus or district level and that they be made available to TEA staff in the event of an on-site investigation.

Timeline:

Student Assessment staff would like to obtain input from district test coordinators before proceeding with developing model policies. TEA will work with the DAC and with a focus group of district test coordinators to outline components of a model policy. Any

new policies developed as a result of these activities will be included in the *2008 District and Campus Coordinator Manual* and in the *2008 Test Security Supplement*.

Recommendation 8

TEA should require districts to maintain test security materials and signed security oaths for five years following a test administration.

Commissioner Recommendation: ACCEPT WITH MODIFICATIONS

TEA can change rules and/or its testing manual to require districts to maintain testing-related materials such as handouts used in training and signed security oaths for five years following a test administration. Given the possible burden on districts of requiring retention of large amounts of paper, TEA will consult with the DAC concerning an option that would require districts to maintain these materials for three years, with a further recommendation that five years would be optimal.

TEA will also develop several proposals for advisory committee review that examine more standardized format requirements for the submission of answer document information by school districts. Currently school districts have flexibility in the assignment of answer documents within a campus, e.g., grade level, classroom level, etc. This raises questions concerning the comparability of the data from campus to campus within the state when analyzing assessment data for test integrity.

Timeline:

Recommendations from the DAC will be solicited this summer with final recommendations concerning records retention made by summer 2007. This will allow the final decisions to go into effect with the 2007-2008 school year and be outlined in the *2008 District and Campus Coordinator Manual* and in the *2008 Test Security Supplement*. Provisions contained in Senate Bill 1031 recently passed by the 80th Legislature, Regular Session, authorize the TEA to establish record retention requirements for school district records related to the security of state assessment instruments. Recommendations concerning more standardized format requirements for the submission of answer document information by school districts would be implemented no later than the 2008-09 school year, the date authorized in SB 1031 for the implementation of transparent statistical procedures for identifying potential instances of test security violations.

Recommendation 9

TEA should ensure that investigations, sanctions and corrective actions are conducted in a fair, expeditious and equitable manner.

Commissioner Recommendation: ACCEPT

Policies and procedures developed in response to Recommendations 1, 3, 4, and 6 will be designed to be fair, expeditious, and equitable. Draft policies and procedures will include recommended timelines and will be reviewed and commented upon by the SAAC, the TTAC, and the DAC, at a minimum, to help ensure that these criteria are met.

Timeline:

Both the TTAC and the DAC are scheduled to meet in summer 2007. The SAAC will also be consulted concerning recommendations and TEA staff will present draft policies and procedures for their review, with the intention of producing final documents prior to the beginning of the 2007-2008 school year.

Recommendation 10

TEA should consider incorporating a measure of test security into the state's school accountability rating system.

Commissioner Recommendation: ACCEPT WITH MODIFICATIONS

Valid and reliable assessment results are critical to the integrity of the state and federal accountability systems. Implementation of the responses proposed above will further ensure the integrity of the accountability rating systems.

Assessment data integrity is currently monitored on an annual basis in the Performance-Based Monitoring (PBM) system through indicators in the data validation component of the PBM system as well as indicators in the Performance-Based Monitoring Analysis System (PBMAS). The Texas Education Code (TEC) contains two statutory references that form the basis of these indicators. TEC §39.075 calls for special accreditation investigations when anomalous data related to reported absences are observed in the administration of the state student assessment program and when excessive numbers of allowable exemptions from the required state assessment are determined. In addition, Texas Education Code §7.028 provides specifically for data integrity monitoring for the purposes of the Public Education Information Management System (PEIMS) and accountability under Chapter 39.

To meet these statutory requirements, the PBM system monitors the test answer documents submitted with excessive rates of students coded as either absent or "other" (which indicates that the student was not tested for reasons such as illness during test or a test administration irregularity). Districts are evaluated for each subject area tested on TAKS, TAKS-I, and SDAA II for all students and for three student groups: African American, Hispanic, and White. Other indicators in the PBM system that examine student assessment data integrity include indicators that evaluate potential coding anomalies of particular student groups, including students with Limited English Proficiency (LEP) and indicators that evaluate excessively high or low participation rates of students in specific assessments. Districts are subject to monitoring interventions and sanctions if identified data anomalies cannot be validated.

Timeline:

Given that districts are already held accountable for a variety of student assessment data integrity indicators in the PBM system and the agency has broad statutory authority to add indicators to the PBM system as determined appropriate, it may not be necessary to add any additional measures to the state accountability system. The TEA will explore the inclusion of the PBM data integrity measures as a part of more general test integrity analyses under consideration in Recommendation 1 and determine whether additional measures of assessment data integrity should be developed for inclusion in either system.